

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Renee McCray
FROM: Judge Peter J. Messitte
RE: McCray v. Driscoll et. al., Civil No. GLR 16-934
Driscoll et. al., v. McCray Civil No. GLR 16-1791
DATE: December 15, 2016

The Court received your Notice of Objection to the reassignment of Civil Nos. GLR 16-934 and GLR 16-1791 to Judge Russell. As the Court wrote in its Memorandum to the Clerk, the cases were transferred to Judge Russell “due to their close relationship with Civil No. GLR 13-1518 now pending in his court.”

Judges within the same judicial district have sole discretion to determine assignment of cases as provided by the rules and orders of the court. 28 U.S.C.A. § 137. “District Judges have the inherent power to transfer cases from one to another for the expeditious administration of justice.” *Hughes v. Bedsole*, 913 F. Supp. 420, 423 (E.D.N.C. 1994), aff’d, 48 F.3d 1376 (4th Cir. 1995). The Court has determined that it is in the best interest of the administration of justice for Judge Russell to hear these cases given the overlap in parties and issues with Civil No. GLR 13-1518 now pending before him.

To the extent you believe Judge Russell harbors impermissible bias against you, the correct avenue to pursue these claims would be to file a Motion for Recusal in Judge Russell’s court. The Court notes, however, that adverse rulings alone do not create a cognizable inference of bias. *Liteky v. United States*, 510 U.S. 540, 549 (1994).

As the case has been reassigned to Judge Russell, any additional filings or correspondence should be addressed to him.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File
Judge Russell